

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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SCHERING-PLOUGH CORPORATION,

Plaintiff,

v.

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UNITED STATES OF AMERICA,

Defendant

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Civ. Action No. 05-2575 (KSH)

**ORDER**

**KATHARINE S. HAYDEN, U.S.D.J.**

For the reasons stated in the Opinion filed herewith (docket entry # 124) and pursuant to matters discussed during a status conference on December 3, 2007,

It is on this 4<sup>th</sup> day of December, 2007, hereby

**ORDERED** that the government's motion for partial summary judgment (docket entry # 46) is **granted**; and it is further

**ORDERED** that plaintiff's objections to Magistrate Judge Shwartz's May 7, 2007 orders (docket entry # 105) are **dismissed** as moot; and it is further

**ORDERED** that plaintiff's motion to bifurcate (docket entry # 53) is **dismissed** as moot; and it is further

**ORDERED** that a pretrial conference is scheduled for **January 9, 2008 at 2:00p.m.** and trial shall commence on **January 15, 2008 at 9:30 a.m.**; and it is further

**ORDERED** that the parties shall submit trial briefs, and submit a joint schedule for briefing in limine motions with all documents filed by **January 8, 2008**; and it is further

**ORDERED** that in lieu of a full Pretrial Order the parties shall submit a joint document setting forth undisputed issues, designated exhibits, and such other information customarily set

forth for specific trial purposes, and file this focused Pretrial Order on or before **January 8, 2008**. The schedule for submitting a Pretrial Order to Magistrate Judge Shwartz and conferring with her is amended accordingly. In light of the scheduled trial, the government has withdrawn its appeal of Magistrate Judge Falk's November 3, 2006 order (docket entry #62).

/s/Katharine S. Hayden  
KATHARINE S. HAYDEN  
UNITED STATES DISTRICT JUDGE